

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2009-402-T - ORDER NO. 2011-411

JUNE 7, 2011

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| IN RE: Application of Kenneth James Scallions |) | ORDER GRANTING |
| d/b/a Ballantyne & Beyond Moving (f/k/a |) | CLASS "E" |
| Ballantyne and Beyond, LLC) for a Class E |) | (HOUSEHOLD GOODS) |
| (Household Goods) Certificate of Public |) | MOTOR CARRIER |
| Convenience and Necessity for Operation of |) | CERTIFICATE OF |
| Motor Vehicle Carrier |) | PUBLIC CONVENIENCE |
| |) | AND NECESSITY |

This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Kenneth James Scallions d/b/a Ballantyne & Beyond Moving ("Scallions" or "Applicant") for a Class E (Household Goods) Certificate of Public Convenience and Necessity. Scallions seeks statewide authority to move household goods. Pursuant to 26 S.C. Code Ann. Regs. 103-817(C)(3)(a), the Applicant timely published notice of this matter in a newspaper of general circulation in the area where authority to operate is sought. No parties intervened, and a hearing on the Application was held on May 19, 2011, in the offices of the Commission.

The parties at the hearing included *pro se* Applicant, Kenneth James Scallions, and the Office of Regulatory Staff ("ORS"), represented by Shealy Boland Reibold, Esquire. The shipper witness for the Applicant was Vicky Blackwood with Kleen-Pro Restoration, Inc. George Parker, manager of the ORS Transportation Department, testified for ORS. During the hearing, Blackwood testified about a need for movers in the area where certification is sought. Scallions testified to his experience moving

household goods and that he was aware of and intended to comply with the Commission's regulations concerning household goods movers. For ORS, Parker testified that he found Scallions' Application to be in order. Parker also stated that he performed an inspection and found Scallions' equipment to be acceptable.

The Commission finds the Application to be in order. Additionally, we conclude that the Applicant has demonstrated that he is fit, willing, and able to operate as a household goods mover pursuant to S.C. Code Ann. § 58-23-330 (Supp. 2010) and 26 S.C. Code Ann. Regs. 103-133 (Supp. 2010). Furthermore, we find that the public convenience and necessity is not already being served by existing authorized service. Therefore, the Application of Kenneth James Scallions d/b/a Ballantyne & Beyond Moving should be granted.

IT IS THEREFORE ORDERED:

1. The Application of Kenneth James Scallions d/b/a Ballantyne & Beyond Moving for a Class E Certificate of Public Convenience and Necessity is approved for the Applicant to transport household goods statewide.

2. Scallions shall file with the Office of Regulatory Staff the proper insurance, safety rating, and other information required by S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 of the Commission's Rules and Regulations for Motor Carriers, as amended, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers, as amended, within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.

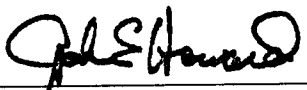
3. Upon compliance with S.C. Code Ann. Section 58-23-10 et. seq. (1976), as amended, and the applicable Regulations for Motor Carriers, S.C. Code Ann. Regs. Vol. 26 (1976), as amended, a Certificate shall be issued by the Office of Regulatory Staff authorizing the motor carrier services granted herein.

4. Prior to compliance with the above-referenced requirements and receipt of a Certificate, the motor carrier services authorized by this Order shall not be provided.

5. Failure of the Applicant to either (1) complete the certification process by complying with the Office of Regulatory Staff requirements of causing to be filed with the Commission proof of appropriate insurance and an acceptable safety rating within sixty (60) days of the date of this Order or (2) to request and obtain from the Commission additional time to comply with the requirements of the Commission as stated above, may result in the authorization approved in the Order being revoked.


6. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



John E. Howard, Chairman

ATTEST:



David A. Wright, Vice Chairman
(SEAL)